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UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:

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OASIS VINEYARDS,

*

Case No. 08-17750-RGM

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(Chapter 7)

Debtor(s).

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ORDER GRANTING TRUSTEE'S MOTION TO SELL PROPERTY OF THE ESTATE
FREE AND CLEAR OF LIENS AND ALL OTHER INTERESTS

Upon Consideration of the Trustee's Motion To Sell Property Of The Estate Free And Clear Of Liens And All Other Interests ("Motion"), and any response, it is

ORDERED, that the Motion be, and hereby is, GRANTED, and the Trustee is authorized to sell property of the estate free and clear of liens and all other interests pursuant to 11 U.S.C. §§ 363(b)&(f) and Federal Rule of Bankruptcy Procedure 6004(a)-(c) on the terms and conditions set forth in his Notice Of Intention To Sell Property Of The Estate filed on March 18, 2011 and to take any action provided therein without further Order of the Court, namely:

PROPERTY FOR SALE: all trademarks including the Oasis trademark, licenses including the ABC license, customer lists, motor vehicles, winery equipment, cultivators, leaf pullers, storage tanks, barrels, washers, bottles of wine, cases of wine, tractors, and all other tangible personal property owned by the Debtor ("Property").

INTEREST BEING SOLD: Debtor's entire interest in the Property.

VALUE OF PROPERTY: Scheduled by Debtor as over \$300,000.

PLACE, MANNER, AND TIME OF SALE: The sale likely will occur at 14141 Hume Road, Hume, VA. The sale will occur either by public auction or private sale, at the discretion of N.T. Arrington, to the highest bona fide cash offeror at any time after the later of the following: sale notice published at www.arringtonauction.com; 21 days from the date of mailing of this sale notice; and Court approval of the Trustee's Motion.

APPRAISER, AUCTIONEER, AND SALES AGENT: N.T. Arrington – Auctioneer, Post Office Box 738, Gainesville, Virginia, 20156. Phone: (703) 255-4695; fax: (703) 754-9621; e-mail: nta1153@verizon.net.

COMPENSATION TO APPRAISER, AUCTIONEER, AND SALES AGENT: 10% of gross sale proceeds plus advertising costs and other reasonable sale-related expenses, which amounts may be deducted from the net sale proceeds remitted to the Trustee or paid by the Trustee without further Order of the Court.

LIENS: Robert D. Burke, Trustee of the Robert D. Burke, CPA, PC 401(k) Profit Sharing Plan, asserts a lien on the Property, which lien is disputed in good faith by the Trustee because it was not perfected by any open financing statement filed with the Secretary of the Commonwealth as of the date of the petition. This dispute is the subject of A.P. No. 08-17750. Because the lien is in bona fide dispute, the Property may be sold free and clear of the lien under 11 U.S.C. § 363(f) (4) with the lien, if any, to attach to the net sale proceeds pending the outcome of A.P. No. 08-17750. The Trustee is not aware of any other interests asserted against the Property, but all parties in interest will be served a copy of the Motion.

DEBTOR'S EXEMPTIONS: N/A.

TAX CONSEQUENCES TO ESTATE BY SALE: none or minimal.

NET PROCEEDS TO ESTATE: cannot be estimated at this time.

OTHER: The Order granting the Trustee's Motion shall not be subject to the fourteen-day stay provided in Federal Rule of Bankruptcy Procedure 6004(h). The Trustee shall be authorized to sign a Bill of Sale and any other documents reasonably necessary to complete the sale.

It is further ORDERED, that, notwithstanding the above provisions, the Trustee's sale shall not occur prior to June 12, 2011 absent the written consent of Robert D. Burke, Trustee of the Robert D. Burke, CPA, PC 401(k) Profit Sharing Plan ("Burke"), and the Trustee and Burke shall in the interim in good faith attempt to coordinate a simultaneous sale of the real property where the Debtor's personal property is located and a sale of the Debtor's personal property.

Date: _____

Robert G. Mayer
U.S. Bankruptcy Judge

I ask for this:

/s/ Kevin R. McCarthy
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McCarthy & White, PLLC
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703-770-9261 (phone)
krm@mccarthywhite.com (e-mail)
Attorneys for Trustee

Seen and Agreed:

/s/ Julian Karpoff
Julian Karpoff
Karpoff & Title
P.O. Box 990
Arlington, VA 22216
703-841-9600
captainkarpoff@rcn.com
Attorney for Burke

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by all necessary parties, pursuant to Local Rule 9022-1(C).

/s/ Kevin R. McCarthy
Kevin R. McCarthy

PARTIES TO RECEIVE COPIES

all registered ECF participants who have appeared in this case

N. T. Arrington – Auctioneer
Post Office Box 738
Gainesville VA 20156

Robert D. Burke, Trustee of the
Robert D. Burke, CPA, PC 401(k)
Profit Sharing Plan
6279 Franconia Road
Alexandria, VA 22310-2584

Julian Karpoff
Karpoff & Title
P.O. Box 990
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